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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/736,468

12/14/2003

Walter E. Pipo

PipoE_CIP_1_03

3489

34442

7590

08/23/2006

PATRICIA M. COSTANZO

PATS PENDING

P.O. BOX 101

ELMA, NY 14059

EXAMINER

CARIASO, ALAN B

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/736,468	PIPO ET AL.	
	Examiner	Art Unit	
	Alan Cariaso	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-23 is/are rejected.
- 7) ☒ Claim(s) 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Receipt of applicant's amendment filed June 9, 2006 is acknowledged. Claims 21-24 are pending and have been amended.

Claim Objections

2. Claims 21-24 are objected to because of the following informalities: Claims 21-23, line 4 of each claim, "said solid object" appears to be related to the preceding "self-illuminating fabricated solid object assembly", and arguably an essential structure implied by the preamble. However, there is a difference between "object" and "object assembly". Like all the other parts or limitations initially introduced that comprise the "self-illuminating fabricated solid object assembly", the first introduced "said solid object" should be appropriately addressed with --a--, instead of "said". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over MORI (US 4,510,555) in view of TRUDEAU et al (US 2004/0032748 A1).

5. MORI discloses a fabricated solid object (10) assembly comprising: at least one visually exposed surface (top of lighting device or screen 10, fig.1); at least one aperture (defined by the aperture occupied by coupling 28) opening on an accessible surface (12, fig.1); at least one optical fiber (30_{sub1} to 30ⁿ) positioned within a solid object (10, fig.1); a first end of the optical fiber (30) visually terminating at the visually exposed surface (top of 10, fig.1) of the solid object (10); a second end (4 contiguous cross-sectional circles shown in phantom within pedestal 12 in fig.1) operatively related to the aperture to receive light, at least one receptacle (optical coupling 28) operatively related to the aperture, the receptacle (28) receiving the second end of the optical fibers (30_{sub1} to 30ⁿ) providing for the second end of the optical fibers to receive light, said at least one receptacle (28) receiving an exchangeable light source (col.2, lines 3-4) additionally comprising at least one fiber optic cable (26) adapted for transmission of at least part of the light from the exchangeable light source to the first end (col.2, lines 15-27) of the optical fiber (30_{sub1} to 30ⁿ); wherein the at least one fiber optic cable (26) is receivable by a plurality of solid objects (fig.1 shows another object 10' in fig.1 receiving cable 26). However, MORI does not disclose a light emitting diode.

6. TRUDEAU teaches a light source (12) comprising a light emitting diode (page 3, paragraph 0050) equivalent to the other known light sources mentioned for the purpose of illuminating the embedded optical fiber. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the lighting device of MORI to include the type of light emitting diode light source equivalent to other known light sources as taught by TRUDEAU et al in order to illuminate the embedded optical

fiber and surface pattern, with the further advantage of long operating life, using less electricity, producing less heat and spacing-saving small size known of light emitting diodes relative to other light sources.

7. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over MORI (US 4,510,555) in view of TRUDEAU et al (US 2004/0032748 A1) as applied to claims 21 and 22 above, and further in view of MOUISSIE (US 4,845,596).

8. MORI modified by TRUDEAU above discloses the claimed invention except a plurality of predetermined patterns comprising informational messages on at least one visually exposed surface.

9. MOUISSIE teaches a panel (15, figs.4-5), in the same field of endeavor, defining a visually exposed surface that includes a pattern of information messages (col.1, lines 15-18) for the purpose of visually indicating information messages vital to signaling or indicating operation of vehicles, measuring instruments and consumer electronics while having space-saving and energy-saving advantages over a strong backlight light source (col.1, lines 19-39).

10. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the lighting device of MORI to include the type of information message patterns on the panel as taught by MOUISSIE in order to expand the space-save and energy-saving advantages to backlighting or visually illuminating information messages in vehicle panels, instrument panels and consumer electronics.

Allowable Subject Matter

11. Claim 24 would be allowable if rewritten or amended to overcome the objection(s), set forth in this Office action above.
12. The following is a statement of reasons for the indication of allowable subject matter in claim 24: the at least one receptacle comprises locking means for securely holding said light source means in place, in combination with the light source additionally comprises at least one fiber optic cable and the receptacle receiving an exchangeable light source.

Response to Arguments

13. Applicant's arguments with respect to claims 21-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

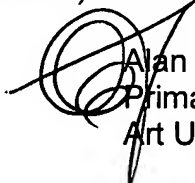
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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan Cariaso whose telephone number is (571) 272-2366. The examiner can normally be reached on 9-5:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Alan Cariaso
Primary Examiner
Art Unit 2875

August 20, 2006
AC